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C O N F I D E N T I A L HAVANA 000536

STATE FOR WHA/CA (BWILLIAMS)

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TAGS: [PGOV](#) [PREL](#) [SNAR](#) [CVIS](#) [PHUM](#) [PREF](#) [CU](#)

SUBJECT: CUBA PROVIDES EVIDENCE TO ASSIST U.S. PROSECUTION  
OF MIGRANT SMUGGLERS

Classified By: CDA James L. Williams for Reasons 1.4(d)

¶1. (C) Summary: On July 4, 2008, Cuban officials from the Ministry of Interior (MININT) requested to meet with USINT's Coast Guard representative to present a case evidence package in reference to a June 16, 2008, illegal smuggling event which resulted in a collision of two vessels and the death of two migrants. MININT officials provided case evidence implicating two operators of a Florida registered Go Fast vessel as possible suspects involved in the collision case. Coincidentally, the two suspects and vessel identified by MININT in their case package were stopped returning to a Florida port by US law enforcement personnel hours after the collision took place on June 16. MININT stated they were willing to provide US Attorney's office representatives additional access to case evidence or migrant testimony if it would ultimately assist in the prosecution of the suspected smugglers.

¶2. (SBU) On June 16, 2008, Cuban Border Guard (TGF) reported that a Go Fast smuggling vessel collided with a rustic vessel carrying would be migrants. The collision was reported via an official TELEX to the U.S. Coast Guard's command center. TGF also reported the incident via phone to USINT's Coast Guard representative in Havana, Cuba. The TGF TELEX stated the collision took place inside Cuban territorial waters off the coast of Villa Clara, Cuba (GEO COORD: 22-57N/079-52W). The initial TGF report of the incident stated that one female migrant was found dead, two other female migrants were severely injured and one minor was missing.

¶3. (SBU) Hours later, on June 16, 2008, a Florida registered Go Fast, FL2713NR, was stopped by U.S. law enforcement authorities at the Florida Lake Worth Inlet. The Go Fast was operated by Jose Rafael Mena Nunez and Yosvany Perez Roche. The Go Fast was similar in description to the Go Fast identified by TGF authorities as being involved in the collision with a rustic vessel carrying migrants. U.S. law enforcement officials called the registered owner to claim the vessel. Identification of the owner and operators were taken and registration information for the vessel was documented. Photographs of all suspect parties and vessel were also taken during the enforcement stop.

¶4. (SBU) On June 17, 2008, TGF officials met and updated USINT's Coast Guard representative on the Go Fast collision case. TGF reported the missing minor was recovered deceased and that the two severely injured females were hospitalized but in stable condition. TGF provided a brief summary of the smuggling event. They claimed an unidentified radar contact entered Cuban territorial waters and they responded to the contact by dispatching a patrol vessel to intercept. TGF claimed their patrol vessel visually observed a Go Fast coming together with a rustic vessel. TGF stated they believed the Go Fast smugglers counter detected the Cuban

Border Guard,s patrol vessel and in their hasty attempt to flee, struck the rustic vessel carrying the migrants.

15. (SBU) On June 18, 2008, the Government of Cuba ran a one page editorial in their state controlled newspaper, GRANMA, titled: "the Assassination Law takes new victims." The article identified Jorge Luis Nunez Sanchez and Yudersi Rosabal Rodriguez as the two deceased migrant victims. The article claimed that on June 16, a group of migrants from Villa Clara, Cuba embarked a wooden rustic vessel of 15ft and navigated out to sea in order to meet a Go Fast smuggling vessel at a predetermined location 16 miles offshore. Four picture captions of the named migrant participants and the damaged rustic vessel accompanied the story.

16. (SBU) On July 4, 2008, MININT representatives met with USINT's Coast Guard representative to turn over case package evidence with respect to the 16 June smuggling event. The case package included: A. Overall summary of the incident and crime scene collected. B. Laboratory chemical analysis of the paint and fiberglass samples taken from the rustic vessel. C. Photo documentation and crime scene analysis of the rustic vessel involved in the collision. D. Criminal analysis and photo identification of the suspects Jose Rafael Mena Nunez and Yosvany Perez Roche. E. Autopsy report for the two deceased migrants. F. Sworn statements of the accounts of the incident from three migrants onboard the rustic vessel involved in the collision. G. Sworn statements from three of the migrants identifying the Go Fast operators. H. Sworn statements from three of the migrants identifying the Go Fast vessel. I. Photo documentation of the migrants identifying the suspects and Go Fast vessel. On 06 July, USINT turned over the case evidence package to the Immigration Customs Enforcement (ICE) officer in charge of the case.

17. (C) Comment: Cuban Border Guard officials under MININT have been gradually establishing a track record of providing useful drug trafficking and human smuggling case information to USINT's Coast Guard representative. Most recently, MININT authorities provided case evidence which assisted in the sentencing of two migrant smugglers. With respect to this case, the intricacies of implicating suspects intercepted stateside for a crime committed inside Cuban territorial waters are well understood. However, it is noteworthy that the GOC has provided initial criminal investigative information and is willing to provide further access to U.S. Attorney's office representatives to develop an investigation.

WILLIAMS